

EXHIBIT 1

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

VERY REVEREND GEORGES F. DE LAIRE, J.C.L.,

Plaintiff,

v.

Case No. 1:21-CV-00131-JD

GARY MICHAEL VORIS; ANITA CAREY; ST.
MICHAEL'S MEDIA a/k/a CHURCH MILITANT,

Defendants.

ST. MICHAEL'S MEDIA A/K/A CHURCH MILITANT
RESPONSES TO PLAINTIFF'S SECOND SET OF REQUESTS FOR PRODUCTION

Defendant, St. Michael's Media a/k/a Church Militant ("Church Militant"), by and through its counsel, submits the following as its responses to Plaintiff's Second Set of Requests for Production dated December 1, 2022:

Request for Production No. 25: All text messages, SMS, MMS, or any other messages exchanged on a text messaging service (e.g., WhatsApp, Signal, Telegram), between you and Marc Balestrieri from January 1, 2018 to present, about, concerning, regarding, referring to or relating to Plaintiff Father de Laire.

RESPONSE: Church Militant objects to this request to the extent it calls for the disclosure of documents protected by the attorney client privilege or the work product doctrine. Subject to these objections, Church Militant state that it has no responsive documents.

Request for Production No. 26: All text messages, SMS, MMS, or any other messages exchanged on a text messaging service (e.g., WhatsApp, Signal, Telegram), between you and

Marc Balestrieri from January 1, 2018 to present, about, concerning, regarding, referring, or relating to Mr. Balestrieri writing for or on behalf of Church Militant. To the extent you claim any privilege, please produce a log containing information regarding the nature of the documents or communications being withheld in a manner that will allow for assessment of the privilege claim. See Instruction No. 11.

RESPONSE: Church Militant objects to this request to the extent it calls for the disclosure of documents protected by the attorney client privilege or the work product doctrine. Subject to these objections, Church Militant state that it has no responsive documents.

Request for Production No. 27: All text messages, SMS, MMS, or any other messages exchanged on a text messaging service (e.g., WhatsApp, Signal, Telegram), between you and Marc Balestrieri from January 1, 2018 to present, about, concerning, regarding, referring, or relating to the January 17, 2019 article “NH Vicar Changes Dogma Into Heresy.” To the extent you claim any privilege, please produce a log containing information regarding the nature of the documents or communications being withheld in a manner that will allow for assessment of the privilege claim. See Instruction No. 11.

RESPONSE: Church Militant objects to this request to the extent it calls for the disclosure of documents protected by the attorney client privilege or the work product doctrine. Subject to these objections, Church Militant state that it has no responsive documents.

Request for Production No. 28: All text messages, SMS, MMS, or any other messages exchanged on a text messaging service (e.g., WhatsApp, Signal, Telegram), between you and

Marc Balestrieri from January 1, 2018 to present, about, concerning, regarding, referring, or relating to this lawsuit.

RESPONSE: Church Militant objects to this request to the extent it calls for the disclosure of documents protected by the attorney client privilege or the work product doctrine. Subject to these objections, Church Militant state that it has no responsive documents.

Request for Production No. 29: All e-mails, letters, faxes, notes or any other written documents and communications between you and Mark Balestrieri from January 1, 2018 to present, about, concerning, regarding, referring, or relating to Plaintiff Father de Laire.

RESPONSE: Church Militant objects to this request to the extent it seeks information protected from discovery under the attorney work product doctrine. Subject to these objections, Church Militant will produce non-privileged responsive documents.

Request for Production No. 30: All e-mails, letters, faxes, notes or any other written documents and communications between you and Mark Balestrieri from January 1, 2018 to present concerning, regarding, referring, or relating to Mr. Balestrieri writing for Church Militant. To the extent you claim any privilege, please produce a log containing information regarding the nature of the documents or communications being withheld in a manner that will allow for assessment of the privilege claim. See Instruction No. 11.

RESPONSE: Church Militant objects to this request to the extent it seeks information protected from discovery under the attorney work product doctrine. Subject to these objections, Church Militant will produce non-privileged responsive documents.

Request for Production No. 31: All e-mails, letters, faxes, notes or any other written documents and communications between you and Mark Balestrieri from January 1, 2018 to present concerning, regarding, referring, or relating to the January 17, 2019 article “NH Vicar Changes Dogma Into Heresy.” To the extent you claim any privilege, please produce a log containing information regarding the nature of the documents or communications being withheld in a manner that will allow for assessment of the privilege claim. See Instruction No. 11.

RESPONSE: Church Militant objects to this request to the extent it seeks information protected from discovery under the attorney work product doctrine. Subject to these objections, Church Militant states it has no responsive documents.

Request for Production No. 32: All e-mails, letters, faxes, notes or any other written documents and communications between you and Mark Balestrieri from January 1, 2018 to present concerning, regarding, referring, or relating to this lawsuit.

RESPONSE: Church Militant objects to this request to the extent it seeks information protected from discovery under the attorney work product doctrine. Subject to these objections, Church Militant will produce non-privileged responsive documents.

Request for Production No. 33: All articles, stories, editorials, pieces, essays, commentaries, reports, investigations, or any other writing, authored in whole or in part by Marc

Balestrieri that were published by Church Militant, including any writings that do not identify Mr. Balestrieri as the author.

RESPONSE: Church Militant objects to this request because it is overbroad and unduly burdensome and because the request is not proportional to the needs of the case, considering the importance of the issues at state in the action, the amount in controversy, the parties' resources and the importance of the discovery in responsive the issues and because the expense of locating all responsive documents outweighs the likely benefit. Subject to these objections, Church Militant will produce those documents it was able to identify.

Request for Production No. 34: All articles, stories, editorials, pieces, essays, commentaries, reports, investigations, or any other writings where Marc Balestrieri acted as a consultant, source, or resource for Church Militant.

RESPONSE: Church Militant objects to this request because it is overbroad and unduly burdensome and because the request is not proportional to the needs of the case, considering the importance of the issues at state in the action, the amount in controversy, the parties' resources and the importance of the discovery in responsive the issues and because the expense of locating all responsive documents outweighs the likely benefit. Subject to these objections, Church Militant will produce those documents it was able to identify.

Request for Production No. 35: All communications between you and Marc Balestrieri concerning, regarding, referring, or relating to any documents produced in your response to Request for Production No. 34.

RESPONSE: Church Militant objects to this request because it is overbroad and unduly burdensome and because the request is not proportional to the needs of the case, considering the importance of the issues at state in the action, the amount in controversy, the parties' resources and the importance of the discovery in responsive the issues and because the expense of locating all responsive documents outweighs the likely benefit. Subject to these objections, Church Militant will produce those documents it was able to identify in the period January 1, 2018 through the present.

Request for Production No. 36: All communications, including text messages, emails, letters, faxes, or messages exchanged via another messaging service, regarding the publication or posting of the January 17, 2019 article "NH Vicar Changes Dogma Into Heresy" to the Church Militant website between you and Marc Balestrieri.

RESPONSE: Church Militant objects to this request to the extent it calls for the disclosure of documents protected by the attorney client privilege or the work product doctrine. Subject to these objections, Church Militant state that it has no responsive documents.

Request for Production No. 37: All communications, including text messages, emails, letters, faxes, or messages exchanged via another messaging service, that refer, concern, or relate to Marc Balestrieri and the January 17, 2019 article “NH Vicar Changes Dogma Into Heresy,” from January 1, 2018 to the present.

RESPONSE: Church Militant objects to this request because it seeks information protected from discovery by the attorney client privilege and the work product doctrine. Church Militant objects to identifying each and every privileged communication because of the volume of communications between it and its counsel concerning Mr. Balestrieri and the January 17, 2019 article makes the request disproportionately onerous relative to the relevance of the information. Church Militant has no responsive documents that are not privileged or have not been produced.

Request for Production No. 38: Produce a copy of the story published in a “local New Hampshire paper” that Mr. Voris testified about in the Rule 30(b)(6) deposition of Church Militant on p. 176: 20-24 – 177: 1-12.

RESPONSE: Responsive documents have been previously produced as CM 1-5; 32-39.

Request for Production No. 39: All communications, including text messages, emails, letters, faxes, or messages exchanged via another messaging service, regarding, referring, or relating to the story you produced in response to Request No. 38

RESPONSE: Church Militant has no responsive documents.

Request for Production No. 40: Produce the “series of emails” Mr. Voris had with him during the Rule 30(b)(6) deposition of Church Militant, he testified to having with him at p. 213: 12-16.

RESPONSE: Church Militant refers Plaintiff to DeLaire 133 – 134. In addition, Church Militant states that Mr. Voris was referring to copies of Defendants’ written discovery responses, copies of which were emailed to him and printed.

Request for Production No. 41: All communications, including email, texts, letters, faxes, or messages exchanged via other text messaging service , with the “diocesan insiders” discussed by Mr. Voris during the Rule 30(b)(6) deposition of Church Militant at 254: 1-24 – 255: 1-10. To the extent you claim any privilege, please produce a log containing information regarding the nature of the documents or communications being withheld in a manner that will allow for assessment of the privilege claim. See Instruction No. 11.

RESPONSE: Church Militant has no responsive documents.

Respectfully submitted,

MADDIN, HAUSER, ROTH & HELLER, P.C.

/s/ Kathleen H. Klaus
Kathleen H. Klaus (MI Bar #67207)
Pro Hac Vice
Attorney for Michigan Defendants
28400 Northwestern Hwy, 2nd Floor
Southfield, MI 48034

NICHOLSON LAW FIRM, PLLC

/s/ Neil B. Nicholson
Neil B. Nicholson (NH Bar #18341)
Attorney for Michigan Defendants
58 North State Street
P.O. Box 4137
Concord, NH 03302

(248) 359-7520
kklaus@maddinhauser.com

(603) 856-8441
neil@nicholson-lawfirm.com

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